

AMENDMENT TO ACCOMPANY REQUEST FOR CONTINUED EXAMINATION
U.S. Appln. No. 10/000,323

REMARKS

By way of this Request for Continued Examination, in order to accelerate the prosecution of the present application, Applicant focuses on *the method for producing a light-emitting device* in accordance with the present invention.

The Examiner is requested to carefully reconsider claims 1-11 which remain pending and newly added claims 21-23.

With reference to the Examiner's reasoning set forth in the Advisory Action of August 31, 2004, Applicants must respectfully disagree with the positions taken by the Examiner, most especially on the logic of combining the references as the Examiner has combined.

Applicants respectfully submit that the Examiner's statements and reasoning based on the references goes beyond what one of ordinary skill in the art would reasonably view as the teaching of the references.

Specifically, Applicant respectfully submits that none of the references cited by the Examiner specifically disclose or suggests *the specific steps of the method for producing a light-emitting device in accordance with the present invention*.

Applicant does not quibble with the individual teaching of the references as the Examiner has interpreted the references, rather, Applicants respectfully most strongly disagree with the way the Examiner has combined the references *without considering the specific steps recited in the claims relating to the method for producing a light-emitting device in accordance with the present invention*.

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As essential steps, the method for producing a light-emitting device in accordance with the present invention comprises a step which specifically calls for disposing the light-emitting layer, the back side electrode and the sealing parts in an inert gas atmosphere where both the moisture concentration and the oxygen concentration are 100 ppm or less.

The Examiner poses obviousness combination rejections, namely over Moriyama et al (Moriyama) in view of Tsai et al (Tsai) and over Baldo et al (Baldo) in view of Yasukawa et al (Yasukawa) further in view of Tsai.

Central to each rejection is the Tsai patent, and Applicant respectfully submits the Examiner has expanded any reasonable teaching that one of ordinary skill in the art would learn from Tsai beyond the disclosure of Tsai.

Specifically, Tsai merely discloses controlling the content of water and oxygen in an atmosphere in a process for making an organic electroluminescent device and further discloses that the content of water and oxygen therein is no more than 1 ppm.

Referring to Tsai at col. 3, lines 7-11, Tsai discloses as follows:

“Therefore, in the process for producing the organic electro-luminescent device, the demand for controlling the content of the water and oxygen in the atmosphere is strict, i.e., the required content of the water and oxygen therein is no more than 1 ppm.”

A careful review of the disclosure in Tsai shows that Tsai in no fashion discloses, either expressly or implicitly (inherently) *which steps in the Tsai method for producing a light-emitting device are specifically influenced by the content of water and oxygen.*

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Failing to contain such disclosure, Applicant respectfully submits that the teaching in Tsai is insufficient to motivate one of ordinary skill in the art to modify the other references relied upon to reach the invention as claimed herein.

A further important point which Applicant wishes to stress is that the Examiner does not provide any basis which would lead one of ordinary skill in the art to perform sealing of steps in an atmosphere with a specific oxygen or moisture concentration. Specifically, in the advisory action of August 31, 2004, the Examiner states as follows:

“First, the detrimental effects of oxygen and moisture are well known in the art (evidenced in the cited references);

Second, sealing steps within chambers to avoid contamination of the device are well known in the art;

Third, providing an inert gas between the substrates of a light-emitting device is well known in the art (evidenced in the cited references);

Fourth, the desired concentration of oxygen and moisture to avoid adverse effects are well known in the art (evidenced in the cited references).” (certain material has been italicized).

Applicant respectfully submits that the Examiner should provide some support or reasoning other than “well known in the art” regarding sealing steps within chambers to avoid contamination of the device are well known in the art in combination with an observance of the specific oxygen and moisture concentrations as claimed herein; lacking such background art, Applicant respectfully submits that there would be no motivation for one of ordinary skill in the art to go to the extra, and thereby expensive, steps which Applicant has found provide a process which provides the unique benefits of the present invention.

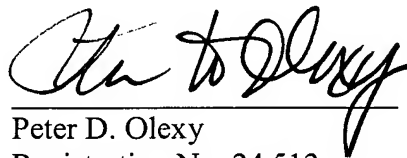
Applicant respectfully submit that the Examiner, to carry the burden regarding obviousness, specifically on the issue of combining the references relied upon, should cite

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references or provide a Declaration which would establish the motivation to combine the references.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter D. Olexy", written over a horizontal line.

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